

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
TUESDAY, FEBRUARY 4, 2003  
9 A.M.**

Commissioners Present: Bernie Heier, Chair  
Larry Hudkins  
Bob Workman  
Deb Schorr

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 9:04 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,  
JANUARY 23, 2003 AND MINUTES OF THE MID-YEAR BUDGET  
RETREAT, THURSDAY, JANUARY 30, 2003**

**MOTION:** Workman moved and Schorr seconded approval of the Staff Meeting minutes of January 23, 2003. Schorr, Workman and Heier voted aye. Hudkins was absent from voting.

The Board held the minutes of Mid-Year Budget Retreat of January 30, 2003.

**2 ADDITIONS TO THE AGENDA**

- A. Bonding Authority for Hospital Authority Number 1
- B. Juvenile Detention Advisory Committee Appointment (Exhibit A)
- C. Nursing Home Licensure Renewal (Exhibit B)
- D. Hiring Request from County Engineer (Exhibit C)
- E. Ecological Advisory Committee Meeting Report

- F. Behavioral Health Advisory Committee (BHAC) Meeting Report
- G. Report on Meeting with Marvin Krout, Planning Director

**MOTION:** Workman moved and Schorr seconded approval of the additions to the agenda. Schorr, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

**3 LEGISLATIVE UPDATE** - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit D).

The Board reviewed a memorandum from Gary Lacey, County Attorney, regarding LB 337 (provide for a surtax on sales of alcoholic liquor) and LB 338 (change liquor tax provisions to provide funding for substance abuse treatment and programs) (Exhibit E).

Kit Boesch, Human Services Administrator, appeared and said there are fiscal advantages to LB 377 (change provisions relating to payment of county jail inmates' medical costs) but the County will have to assume additional responsibilities. She also reported on LB 391 (change minority from nineteen to eighteen in the juvenile code and general age of majority provision) estimating that it will cut Juvenile Probation and the Juvenile Court's caseloads by one third.

**ADDITIONS TO THE AGENDA**

**A. Bonding Authority for Hospital Authority Number 1**

Dave Kroecker, Budget and Fiscal Officer, appeared and said Hospital Authority Number 1 wants to issue \$9.7 million in bonds and is seeking to use a portion of the County's \$10 million bonding authority to become bank eligible. He said he does not foresee the County issuing any bonds this year but recommended reserving \$500,000 of bonding authority.

**MOTION:** Workman moved and Schorr seconded to indicate the Board's intent to allow Hospital Authority Number 1 to utilize \$9.7 million of the County's bonding authority. Workman, Schorr and Heier voted aye. Hudkins was absent from voting. Motion carried.

The Board will take formal action on the request at the February 25, 2003 Board of Commissioners Meeting.

B. Juvenile Detention Advisory Committee Appointment (Exhibit A)

The Board scheduled the appointment on the February 25, 2003 Board of Commissioners Meeting agenda.

C. Nursing Home Licensure Renewal (Exhibit B)

**MOTION:** Workman moved and Schorr seconded to authorize the Chair to sign the Nursing Home Licensure Renewal Application. Workman, Schorr and Heier voted aye. Hudkins was absent from voting. Motion carried.

D. Hiring Request from County Engineer (Exhibit C)

Hudkins arrived at 9:27 a.m. and said his absence was due to attendance at a Lincoln Partnership for Economic Development (LPED) meeting.

In response to a question from Hudkins, Larry Worrell, County Surveyor, appeared and said the position is integral to the construction team.

**MOTION:** Workman moved and Schorr seconded approval of the request. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

E. Ecological Advisory Committee Meeting Report

Heier said trails, plans to dredge Holmes Lake and the Antelope Valley Project were discussed.

F. Behavioral Health Advisory Committee (BHAC) Meeting Report

Heier commented favorably on the leadership.

G. Report on Meeting with Marvin Krout, Planning Director

Heier reported that discussion focused on how to shorten the planning process.

Hudkins said Krout believes it is reasonable for the County to have greater representation on the Planning Commission.

**4 CHANGE OF ZONE NO. 210, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), AT NORTHWEST 126<sup>TH</sup> & WEST "O" STREET - Mike DeKalb, Planning Department**

Mike DeKalb, Planning Department, reviewed Change of Zone No. 210, a request for a change of zone from Agricultural (AG) to Agricultural Residential (AGR) at a location of Northwest 126<sup>th</sup> Street and West "O" Street (Exhibit F). He said Planning Staff recommends deferral until the fiscal impact study is completed and the review performance standard is developed. The Planning Commission recommends denial of the application. DeKalb said if action is desirable at this time, the evidence to date indicates that the application should be denied.

It was noted that Building and Safety is investigating a complaint that a construction business is operating from this location, which is not a permitted use in the AG District (Exhibit G).

DeKalb said the change of zone will not accommodate the business.

Hudkins said the applicant has indicated that he was initially told he did not need a building permit and was given the go ahead to dig the lagoon. He suggested a need for better communication between Planning, Building and Safety and the Health Department to insure that the "right questions" are being asked when queries are made.

**ADMINISTRATIVE OFFICER REPORT**

**C. Comprehensive Plan Amendments**

Hudkins inquired about the procedure to amend the Comprehensive Plan.

Mike DeKalb, Planning Department, said amendment proposals need to be submitted to the Planning Department by February 21, 2003 for inclusion in the annual review of the Comprehensive Plan.

**5 VOCATIONAL COORDINATOR POSITION - Dean Settle, Community Mental Health Center Director**

Dean Settle, Community Mental Health Center Director, said the vocational coordinator position is vacant and a mental health program specialist has assumed those duties with the assistance of a lead worker. He requested authorization to open the position internally, stating there will be neutral impact to the budget as the mental health program specialist is currently being paid overtime.

**MOTION:** Hudkins moved and Workman seconded approval of the request. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

Brief discussion also took place on the Adams Street Center with Settle projecting that the footprint will need to double within the next five years to meet client needs.

**6 CORONER'S PHYSICIAN CONTRACT** - Gary Lacey, County Attorney;  
Mike Thew, Chief Deputy County Attorney

Mike Thew, Chief Deputy County Attorney, said Dr. Matthias Okoye is willing to provide up to 135 forensic autopsies per year for \$297,000. The County will be charged \$2,200 for each additional autopsy. Additional terms include:

- \* Coroner's calls at a rate of \$150 per hour for a pathologist and \$80 per hour for a pathologist assistant
- \* \$300 per hour for court testimony and preparation

Thew said Dr. Okoye is seeking a four year contract with an automatic four year renewal and a six month termination clause.

In response to a question from Workman, Thew said the County is currently paying around \$200,000 a year for forensic pathology services but said Pathology Medical Services, the current provider, is discontinuing this service. He said Dr. Okoye is separating from that group and establishing his own practice. Thew noted that Dr. Okoye is building the cost of toxicology screening, collection of specimens, photographs and preparation of histology slides into his autopsy fee.

Gary Lacey, County Attorney, reported that Creighton Medical School is interested in providing a specialty in forensic pathology and said there may be a regional approach to coroner services in the future.

Workman requested information on how much other jurisdictions pay for these services.

**7 EXECUTIVE SESSION** - Diane Staab, Deputy County Attorney

**MOTION:** Workman moved and Hudkins seconded to enter Executive Session at 10:37 a.m. for discussion of potential litigation. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Schorr exited the meeting.

**MOTION:** Workman moved and Hudkins seconded to exit Executive Session at 11:00 a.m. Hudkins, Heier and Workman voted aye. Schorr was absent from voting. Motion carried.

Hudkins exited the meeting at 11:01 a.m.

The Board took a five minute recess and Schorr returned to the meeting.

**8 AUTHORIZATION TO USE COMPENSATION TIME** - Georgia Glass, Personnel Director; Diane Staab, Deputy County Attorney; Dennis Banks, Lancaster County Juvenile Detention Center Director

Georgia Glass, Personnel Director, asked that the juvenile training coordinator be allowed to bank up to 20 hours of compensation time (Exhibit H).

Dennis Banks, Lancaster County Juvenile Detention Center Director, explained that this individual is responsible for training all shifts at the facility and must frequently work in excess of 8 hour shifts. He said scheduling does not always permit her to flex her hours.

**MOTION:** Workman moved and Schorr seconded approval of a compensation time bank for the juvenile training coordinator. Schorr, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

**9 ALTERNATIVES TO INCARCERATION POSITION DESCRIPTIONS** - Georgia Glass, Personnel Director

Georgia Glass, Personnel Director, said Warren Cook, Coordinator of Adult Offender Services, has contacted her regarding creation of job positions included in the Alternatives to Incarceration Program, Program Plan Report.

Heier said the Board has authorized the program administrator position but said a decision has not been made in terms of salary range.

Hudkins returned to the meeting at 11:16 a.m.

Glass said she will need more information regarding the scope of responsibilities before making salary recommendations.

**10 LAND TECHNICIAN I; OFFICE REMODEL -Norm Agena, County Assessor/Register of Deeds**

**Land Technician I**

Norm Agena, County Assessor/Register of Deeds, said the previous Register of Deeds did not budget sufficient funds for temporary salaries and overtime for Fiscal Year 2002-03 and said a shortfall of \$62,000 is anticipated if work continues at the current pace. He requested additional funding in the amount of \$40,000 to address the budget shortfall, explaining salary savings from a Land Record Tech II vacancy will help to make up the difference.

Agena said he plans to reduce the Land Record Tech II position to a Land Record Tech I and to upgrade a Clerk Typist II vacancy in the County Assessor's Office to a Land Record Tech I (Clerk Typist II's will all be upgraded to Land Record Tech I's). He said the difference in salaries between the Clerk Typist II and Land Record Tech I positions will be offset by salary savings (six months of salary for the Clerk Typist II position was included in the budget). Agena said staff will be cross-trained which should help to cut down on overtime.

Agena said the Register of Deeds Office has a contract with Advantage Personnel for scanning services. He said he would like to continue this contract for the present and explore the cost effectiveness of hiring a Land Record Tech I to perform scanning duties or transferring the work to Records and Information Management.

**MOTION:** Hudkins moved and Schorr seconded to approve the initial funding request of \$40,000, based on the County Assessor/Register of Deeds' explanation. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

**Office Remodel**

Item was dropped from the agenda.

**11 BUSINESS CHARGE ACCOUNT WITH WALMART - Renee' Dozier and Nyla Helge, Families First & Foremost (F<sup>3</sup>) Grant Program; Dave Johnson, Deputy County Attorney**

Nyla Helge, Families First & Foremost (F<sup>3</sup>) Grant Program, said the County must provide necessary services for state wards in the Integrated Care Coordination Unit (ICCU) under terms of the contract with the Nebraska Department of Health and Human Services (HHS). She said several arrangements provide care coordinators the ability to purchase necessary goods and services for the children and their families, including a monthly billing arrangement with Kmart. Helge said Kmart abruptly cancelled this arrangement, due to impending closure of the local stores. Wal-Mart appears to be a viable option, but a corporate charge account is required.

Dave Johnson, Deputy County Attorney, expressed concern about allowing the care coordinators, who are independent contractors, to utilize a County credit card. He recommended: 1) Capping the amount that can be charged; 2) Amendment of the care coordinators' contracts to require insurance or a bond to protect against unauthorized use of the credit card; and 3) Sign-off on all purchases by a County employee. Johnson also requested a list of the care coordinators.

Eagan noted that the purchasing agent recommends bidding the service.

Helge said she would like to avoid having multiple accounts. She also reported that a number of purchases have been delayed, pending a solution.

**MOTION:** Schorr moved and Hudkins seconded to: 1) Authorize use of the Families First & Foremost (F<sup>3</sup>) credit card to purchase needed items for those families on a short term basis, provided that the purchases are made in the presence of a county employee; and 2) Direct the County Attorney, Families First & Foremost (F<sup>3</sup>) and the Purchasing Department to work together on a long-term solution to the problem resulting from Kmart's closing. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

## 12 ACTION ITEMS

- A. Authorization to Submit Violence Against Women Act Funding Request

**MOTION:** Hudkins moved and Schorr seconded to authorize Kit Boesch, Human Services Administrator, to prepare the grant request for signature by the Board. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

- B. Payroll Insert Request from Leadership Link

**MOTION:** Workman moved and Hudkins seconded to deny the request. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

C. Letter of Support for Peoples' Health Center

**MOTION:** Workman moved and Schorr seconded approval. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

D. Transfer of Boat from Emergency Management to Lincoln Fire Department

**MOTION:** Hudkins moved and Schorr seconded approval. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

### 13 ADMINISTRATIVE OFFICER REPORT

A. Referee Coordinator for Board of Equalization Protest Hearings

**MOTION:** Hudkins moved and Workman seconded to direct the County Clerk's Office to prepare a contract with Great Plains Appraisal for consideration at a Board of Commissioners Meeting. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

B. Agency Tours

Thorpe distributed a tentative schedule (Exhibit I).

C. Comprehensive Plan Amendments

Item moved forward on the agenda.

D. DSL Lines for Commissioners

Eagan expressed concern that the Board took action on this item at the Mid-Year Budget Retreat although it was not on the agenda. He recommended further research of the parameters and cost.

**MOTION:** Hudkins moved reconsideration of the original motion.

The motion died for the lack of a second.

**MOTION:** Workman moved to modify the original motion to indicate that the first phase will be to explore the legality and cost of providing high speed internet access to the County Commissioners.

The motion died for the lack of a second.

**MOTION:** Workman moved and Hudkins seconded to direct the County Attorney to look into the appropriateness of providing high speed internet access to the County Commissioners and to explore the cost. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

E. Indigent Screener Report

Board consensus was to schedule the report on a County Board of Commissioners Meeting agenda.

F. Joint Receptionist for County Board/City Council

Item held for further input from the City and the County Board Administrative Secretary.

G. Build-Through Consultant

Eagan said the selection committee recommends that RDG and the Schemmer Associates serve as the build-through consultants.

H. Legislative Testimony by Joint Department Heads

Board consensus was to indicate to the Mayor that the Board would like joint department heads to share written testimony with the Board prior to its presentation to provide the opportunity for input.

I. General Assistance Amendments

Eagan reviewed the amendments (see agenda packet).

**ADDITIONS TO THE AGENDA**

H. Boarding Contracts for Level V Youth

**MOTION:** Schorr moved and Workman seconded approval of the addition to the agenda. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

Dave Kroeker, Budget and Fiscal Officer, appeared and said it will cost \$273,000 to staff a pod in the Lancaster County Juvenile Detention Center to house the Level V youth.

Board consensus was to set a daily rate of \$200 per day for guaranteed placement of 6 youth and to indicate to the Nebraska Department of Health & Human Services (HHS) that a better rate may be negotiated if the number of placements increases (maximum of 11 youth).

## 14 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster Manor Advisory Committee - Hudkins

No report.

- B. Nebraska Association of County Officials (NACO) Board - Workman

Workman reported on legislative discussion.

- C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Heier

No report.

- D. Downtown Lincoln Association (DLA) Board - Stevens

No report.

- E. General Assistance (GA) Monitoring Committee - Stevens, Schorr

Schorr said it was suggested that a part-time employee be hired to help streamline the process.

- F. Visitors Promotion Advisory Committee - Schorr

Schorr said there was discussion on how to keep large events from moving to Omaha.

- G. Lincoln Partnership for Economic Development (LPED) - Hudkins

Hudkins reported on plans for a theater megaplex on Block 35. He also reported that renovation of the Old Federal Building is projected to begin in May or June.

- H. Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) - Hudkins

Hudkins said the group is concerned that the Property Tax Administrator has not revisited the guidelines for greenbelting (valuing property as to its use, not the price it would bring on the open market).

**15 ADJOURNMENT**

**MOTION:** Workman moved and Schorr seconded to adjourn the meeting at 12:55 p.m. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk